UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/826,230	04/04/2001	Jonathan Bricklin	DATE-0003	2482

7590	06/04/2004

Paul B. Milcetic
WOODCOCK WASHBURN KURTZ
MACKIEWICZ & NORRIS LLP
One Liberty Place - 46th Floor
Philadelphia, PA 19103

EXAMINER
MIRZA, ADNAN M

ART UNIT	PAPER NUMBER
2141	

DATE MAILED: 06/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
Office Action Summary		09/826,230	BRICKLIN ET AL.
		Examiner	Art Unit
		Adnan M Mirza	2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>04 April 2001</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-36 and 39-41* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-36 and 39-41* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date <u>7/11/15/03</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

2.   Claims 1-36,39-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyd

(U.S. 2002/019404) and Hanson et al (U.S. 6,691,153).

As per claim 1,15,29,33 Boyd disclosed a method for facilitating a chat service from a web site,

the web site consisting of web pages and executable program routines stored on an http server,

the http server coupled via a computer network to a plurality of subscriber computers each

operated by at least one of the subscribers, the method comprising: a. transmitting a web page to

one of the subscriber computers (Page. 3, Pg. 0031), the web page including a hypertext link

corresponding to a chat environment facilitating communication among chat participants, the

web page also including an indication of the extent to the which the chat participants using the

chat environment are compatible with user of the one of the subscriber computers (Page. 7, pg.

0076-0077); b. receiving a request for the chat environment from the one of the subscriber

computers (Page. 7, pg. 0075); c. causing the chat environment to be generated on the one of the

subscriber computers, the chat environment depicted as a chat environment on a display device

associated with the one of the subscriber computers when processed by an application program

operating on the one of the subscriber computers (Page. 5, pg. 0048), d. facilitating the

establishment of a connection between the one of the subscriber computers and a chat server

such that the one of the subscriber computers is logged onto a chat a channel corresponding to

the generated chat environment (Pg. 7, pg. 0079).

Boyd did not disclose in detail the depicted chat environment including an area for chat

messages, a plurality screen images, each one of the plurality of screen images associated with a

corresponding one of the chat participant, and a plurality of compatibility indicator sets, each one

of the indicator sets associated with a corresponding one of the chat participant.

In the same field of endeavor Hanson disclosed the image server may be implemented using a

web server (servlet). The image server takes information from hypertext Transfer Protocol

(HTTP) requests from the participants 1-4 and translates the information using predefined

schemes into human viewable images that are eroded in a format compatible with know web

browsers. The image server may be configured separately from the web server (col. 8, lines 43-

50).

It would have been obvious to one having ordinary skill in the art at the time of the invention

was made to have incorporated the image server may be implemented using a web server

(servlet). The image server takes information from hypertext Transfer Protocol (HTTP) requests

from the participants 1-4 and translates the information using predefined schemes into human

viewable images that are eroded in a format compatible with know web browsers. The image

server may be configured separately from the web server as taught by Hanson in the method of

Boyd to provide additional navigation and set-up of non-proprietary participants. Additionally,

participants may not be able to effectively communicate when the group becomes too large and it

becomes more costly.

3.   As per claims 2,16 Boyd-Hanson disclosed wherein the request includes a chat room

number where the chat environment and chat channel correspond to the chat room number

(Boyd, Page. 10, Pg. 0117).

4.   As per claims 3,17 Boyd-Hanson disclosed wherein the hypertext link is incorporated in

an image map, the image map being incorporated in the web page (Hanson, col. 7, lines 41-53).

5.   As per claims 4,18 Boyd-Hanson disclosed wherein the image map is depicted as a

button on the display device when processed by the web browser (Boyd, Page. 10, Pg. 0117)).

6.   As per claims 5,19 Boyd-Hanson disclosed where the chat room number corresponds to

one of a plurality of chat room identifiers, the plurality of chat room identifiers stored in a

database connected to the http server (Boyd, Page. 10, Pg. 0117).

7.   As per claims 6,20 Boyd-Hanson disclosed wherein the chat room identifiers are

organized in the database in a hierarchy of lobbies and sub-lobbies (Boyd, Page. 10, Pg. 0117).

8.   As per claims 7,21 Boyd-Hanson disclosed wherein the lobbies correspond to stored

topic of conversation data (Hanson, col. 11, lines 49-59).

9.   As per claims 8,22 Boyd-Hanson disclosed wherein the sub-lobbies each correspond to

sub-topic of conversation data, the sub-topic of conversation data corresponding to the topic of

conversation data of one of the lobbies (Hanson, col. 11, lines 49-59).

10.   As per claims 9,23 Boyd-Hanson disclosed wherein each one of the compatibility

indicator sets comprise a friendship indicator and a relationship indicator (Boyd, Page. 3, Pg.

0026).

11.   As per claims 10,24 Boyd-Hanson disclosed further comprising the step of determining

the friendship indicator by comparing retrieved profile data for a user corresponding to the one

of the subscriber computers with retrieved profile data for the corresponding chat participant

(Boyd, Page. 6, Pg. 0067).

12.   As per claims 11,25 Boyd-Hanson disclosed wherein the retrieved profile data comprises

data reflecting specified areas of interest (Boyd, Page. 6, Pg. 0067).

13.   As per claims 12,26 Boyd-Hanson disclosed further comprising the step of determining the

friendship indicator by checking retrieved profile data for a user corresponding to the one of the

subscriber computers and retrieved profile data for the corresponding chat participant to

determine whether the user and chat participant share an area of interest combination (Boyd,

Page. 6, Pg. 0067).

14.   As per claims 13,27 Boyd-Hanson disclosed further comprising; the step of determining

the relationship indicator by comparing retrieved profile data for a user corresponding to the one

of the subscriber computers with retrieved profile data for the corresponding chat participant

(Boyd, Page. 6, Pg. 0059).

15.   As per claims 14,28 Boyd-Hanson disclosed wherein the retrieved profile data comprises

data reflecting qualities desired in a mate (Boyd, Page 6, Pg. 0069-0070).

16.   As per claims 30,34 Boyd-Hanson disclosed wherein the retrieved profile data comprises

data reflecting specified areas of interest (Boyd, Page. 6, Pg. 0065).

17.   As per claims 31,35 Boyd-Hanson disclosed wherein the retrieved profile data

comprises data reflecting qualities desired in a mate (Boyd, Page. 6, Pg. 0065).

18.   As per claims 32,36 Boyd-Hanson disclosed wherein the step of determining a

compatibility value for each one of the plurality of chat channels in relation to a user subscriber

also comprises using area of interest combination data (Boyd, Page. 6, Pg. 0065-0067).

19.   As per claims 39-41 Boyd-Hanson disclosed a server having a web site comprised of

web pages and chat environments stored thereon, the server coupled to a plurality of client

computers, the web site serving the subscriber community having a plurality of members, the

web pages being accessible to the plurality of members, the server comprising: a. a central

processing unit with associated memory; b. a chat environment software element comprising

instructions residing in the memory, that when executed by the central processing unit, functions

to:i. Retrieve profile data for a plurality of chat participants, each one of the chat participants

being logged onto one of a plurality of chat channels (Hanson, col. 6, lines 51-65); ii. Determine

a compatibility value for each one of the plurality of chat channels in relation to a user subscriber

using the retrieved profile data; iii. Determine a one of the plurality of chat channels having an

optimal compatibility value; iv. Transmit a chat environment corresponding to the one of the

plurality of chat channels to one of the client computers; and v. facilitate the establishment of a

connection between the one of the client computers and a chat server such that one of the client

computers is logged onto the one of the plurality of chat channels (Boyd, Page. 6, pg. 0065-

0067); and c. a virtual data software element comprising instructions residing in the memory,

which when executed by the central processing unit, i. Transmit a chat environment to first of the

client computers, the depicted chat environment including an area for chat messages; ii. Transmit

a copy of the chat environment to a second of the client computers; iii. Facilitate the

establishment of a connection between the first of the client computers and a chat server that the

first of the client computers is logged onto a private chat channel (Boyd, Page. 6, Pg. 0060,

0067).

Conclusion

20.   Any inquiry concerning this communication or earlier communication from the examiner

should be directed to Adnan Mirza whose telephone number is (703)-305-4633.

21.   The examiner can normally be reached on Monday to Friday during normal business

hours.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Dharia Rupal can be reached on (703)-305-4003. The fax for this group is (703)-746-

7239.

22.   The fax phone numbers for the organization where this application or proceeding is

assigned are as follows:

(703)-746-7239 (For Status Inquiries, Informal or Draft Communications, please label

"PROPOSED" or "DRAFT");

(703)-746-7239 (For Official Communications Intended for entry, please mark "EXPEDITED

PROCEDURE"),

(703)-746-7238 (For After Final Communications).

23.   Any Inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703)-305-3900.

Any response to a final action should be mailed to:

BOX AF

Commissioner of Patents and Trademarks Washington, D.C.20231

Or faxed to:

Hand-delivered responses should be brought to 4th Floor Receptionist, Crystal Park II,

2021 Crystal Drive, Arlington, VA 22202.

AM

Adnan Mirza

Examiner

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER